

AMENDED IN ASSEMBLY JULY 13, 1999

AMENDED IN ASSEMBLY JUNE 21, 1999

AMENDED IN SENATE JUNE 1, 1999

AMENDED IN SENATE APRIL 14, 1999

AMENDED IN SENATE APRIL 5, 1999

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**SENATE BILL****No. 578**

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**Introduced by Senator Poochigian**

(Principal coauthor: Assembly Member Mazzoni)

**(Principal coauthor: Senator Alpert)**

February 23, 1999

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An act to add Section 60643.1 to the Education Code, relating to pupil testing, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 578, as amended, Poochigian. Standardized Testing and Reporting Program: reading list.

Existing law, the Leroy Greene California Assessment of Academic Achievement Act, establishes the Standardized Testing and Reporting Program, to be known as the STAR Program. The act requires the State Board of Education to require the State Department of Education to notify publishers of the opportunity to submit, for consideration by the State Board of Education, tests of achievement that include certain basic skills and core curriculum areas. Existing law requires test publishers, to be eligible for consideration

under those provisions, to agree in writing each year to certain requirements, including, among others, providing pupil scores to parents or guardians, teachers, and school administrators.

This bill would also require the test publishers designated by the board commencing in the 1998–1999 school year, and each year thereafter, to make available, for purchase by school districts, a report that provides the numerical distribution of the reading scores of all pupils that took the STAR test and a customized reading list for each individual pupil who has taken the English Language Arts portion of the STAR test, at the same time that test scores are reported to the parent or guardian under the provisions of the STAR Program. The bill would require this customized reading list to include titles of literature that will allow the pupil to practice reading at his or her current reading level, as determined by the publisher's review of the pupil's reading performance on the STAR test, and that will assist the pupil in achieving a higher level of reading proficiency. The bill would also require any title included in the customized list to meet certain requirements concerning the use of instructional materials. The bill would require the State Board of Education to jointly certify with the Superintendent of Public Instruction that the process used by the publisher to determine reading levels of the customized reading list meets certain criteria, including that the process is educationally valid. The bill would also require the list of titles to be made available on the Internet with an index that correlates reading scores on the STAR test to titles on the reading list that would be suitable for pupils in each of grades 2 to 11, inclusive, *and would require the test publisher to develop a revised Internet list annually.*

The bill would require the Superintendent of Public Instruction, subject to an appropriation therefor, to apportion funds to enable school districts to purchase the customized reading list made available pursuant to those provisions, in an amount not to exceed \$0.50 per pupil.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) It is imperative that reading skills among California's pupils be improved.

(b) The English/Language Arts framework and the content standards adopted by the State Board of Education pursuant to Section 60605 of the Education Code, serve as the basis for a complete reading program that includes the foundational skills of phonemic awareness and phonics, as well as reading comprehension and literature appreciation.

(c) Research on the teaching of reading demonstrates that providing all children with appropriate literacy and reading experiences is likely to set the stage for successful reading and academic achievement in later years.

(d) Effective reading instruction involves a combination of explicit instruction in word recognition skills and reading comprehension strategies with opportunities to apply and practice these skills in literature.

(e) Practice in the skills being taught will provide opportunities for California's pupils to improve their reading comprehension, appreciate quality literature, and achieve the English/Language Arts academic content standards for kindergarten and grades 1 to 12, inclusive.

(f) Schools should encourage teachers to use the STAR test scores and the customized reading list described in Section 60643.1 of the Education Code to help parents understand their children's reading ability and how to make selections from the list.

SEC. 2. Section 60643.1 is added to the Education Code, to read:

60643.1. (a) In addition to the requirements of Section 60643, commencing in the 1998–99 school year, and each year thereafter, the test publisher designated by the State Board of Education pursuant to Section 60643 shall make available for purchase by school districts a

1 schoolsite report that provides a numerical distribution of  
2 the reading scores of all pupils that took the STAR test.

3 (b) (1) In addition to the requirements of Section  
4 60643 commencing in the 1998–99 school year, and each  
5 year thereafter, each test publisher shall make available,  
6 for purchase by school districts, a reading list customized  
7 to each pupil’s English Language Arts STAR test score,  
8 and age, for each individual pupil who has taken the  
9 English Language Arts portion of the STAR test, at the  
10 same time that test scores are reported to the parent or  
11 guardian pursuant to Section 60643. This customized  
12 reading list shall include titles of literature that will allow  
13 the pupil to practice reading at his or her current reading  
14 level, as determined by the publisher’s review of the  
15 pupil’s reading performance on the STAR test and that  
16 will assist the pupil in achieving a higher level of reading  
17 proficiency.

18 (2) Any title included in the customized reading list  
19 provided pursuant to paragraph (1) shall ~~meet the~~  
20 ~~requirements of Article 3 (commencing with Section~~  
21 ~~60040) of Chapter 1.~~ *be from the list developed pursuant*  
22 *to paragraph (4).*

23 (3) The customized list for each pupil and the titles  
24 listed at each reading level posted on the Internet  
25 pursuant to paragraph (6) shall include all the titles ~~that~~  
26 ~~have been submitted to the State Department of~~  
27 ~~Education and jointly approved by the State Board of~~  
28 ~~Education and the Superintendent of Public Instruction~~  
29 *for purposes of this section.*

30 (4) *At a minimum, the titles to be included in the*  
31 *customized reading lists shall include all relevant*  
32 *literature materials approved as being legally compliant*  
33 *pursuant to Article 3 (commencing with Section 60040)*  
34 *of Chapter 1, and the titles listed in all of the content area*  
35 *reading and literature lists that are developed and*  
36 *published by the State Department of Education that*  
37 *have been determined to meet the relevant reading level*  
38 *as certified pursuant to paragraph (4).*

39 ~~(4)~~ (5).

(5) The State Board of Education shall jointly certify with the Superintendent of Public Instruction that the process used by the publisher to determine the reading levels of the customized reading list pursuant to paragraph (1) meets the following criteria:

(A) The process is educationally valid.

(B) The process results in a reading list for each reading span that provides titles at the pupil's current reading level and the next higher level for challenging practice.

(C) The process results in a selection from the universe of titles from the ~~department's legal compliance list~~ *list approved pursuant to paragraph (3)* that matches each reading level.

(D) The process is unbiased in the selection of publishers' titles from the legal compliance list.

(5) By imposing the requirements of this subdivision on publishers it is not the intent of the Legislature to unfairly disadvantage any publisher who has otherwise met the requirements of this section or of Article 3 (commencing with Section 60040).

(6) The list of titles on the customized reading list made available pursuant to paragraph (1) shall also be made available on the Internet with an index that correlates reading scores on the STAR test to titles on the reading list that would be suitable for pupils in each of grades 2 to 11, inclusive. To the extent possible, the index shall also include information related to the subject matter of each title. At a minimum, the Internet site shall also categorize titles by subject matter and identify age-appropriate distinctions in the list.

(c) The Superintendent of Public Instruction shall, subject to an appropriation therefor, apportion funds to enable school districts to purchase the customized reading list provided pursuant to subdivision (b) in an amount not to exceed fifty cents (\$0.50) per pupil.

*(d) Beginning with tests administered in spring 2000, and every year thereafter, the publisher shall develop a revised Internet posting pursuant to paragraph (6) of subdivision (b) no later than April 15. The publisher shall*

1 *make the customized list pursuant to paragraph (1) of*  
2 *subdivision (b) available to local educational agencies not*  
3 *later than June 30 of each year.*

4 SEC. 3. For tests administered in Spring 1999, the  
5 publisher shall develop the Internet posting pursuant to  
6 paragraph (6) of subdivision (b) of Section 60643.1 no  
7 later than ~~July 15, 1999~~ *August 31, 1999*. No later than  
8 September 30, 1999, the publisher shall make available to  
9 local educational agencies the customized lists pursuant  
10 to paragraph (1) of subdivision (b) of Section 60643.1 in  
11 a separate report from the score results reported  
12 pursuant to Section 60643.

13 SEC. 4. This act is an urgency statute necessary for the  
14 immediate preservation of the public peace, health, or  
15 safety within the meaning of Article IV of the  
16 Constitution and shall go into immediate effect. The facts  
17 constituting the necessity are:

18 To improve the reading skills of California's public  
19 school pupils as expeditiously as possible, it is necessary  
20 that this measure take effect immediately.

